

worked on such holiday; provided, however, that employees assigned to standby duty as provided in Subsection 16.4 (Stand-by Duty) above on such holiday shall receive one and one-half (1-1/2) times their regular straight-time rate for all hours actually worked on such holiday. For purposes of this section, holidays will be those days on which the holiday is actually observed.

#### Section 17.4 Holiday During Vacation

In the event any of the holidays specified in Subsection 17.2 above occurs while an employee is on vacation, the holiday shall not be charged to vacation.

#### Section 18. Vacation Leave

##### Section 18.1 Vacation Allowance

As of March 12, 2001, regular full-time employees shall accrue vacation leave as follows:

Length of Service	Vacation Hours Earned Biweekly
0-5 years	3.078 hours
6-10 years	4.615 hours
11th year	4.925 hours
12th year	5.229 hours
13th year	5.538 hours
14th year	5.848 hours
15th year	6.152 hours
16-20 years	6.460 hours
21-24 years	6.770 hours
25th year or more	7.080 hours

##### Section 18.2 Accumulation

No employee may accumulate more than 280 hours vacation leave; provided, however, that an employee may request permission from the City Manager to accumulate additional hours for a specific purpose. Once an employee has accumulated 280 hours (or the maximum authorized by the City Manager), that employee will not accumulate any additional vacation time until the employee's leave balance drops below 280 hours.

An employee whose vacation leave balance exceeds 280 hours as of March 12, 2001, will have the hours in excess of 280 transferred to a separate account. Such employee will have six months to develop a plan for using the balance in this account. Any hours not used will be paid to the employee at the employee's hourly rate as of March 12, 2001.

The City Manager may require any employee to use at least 80 hours vacation leave in a calendar year to the extent such vacation leave has been accumulated. The City Manager may also allow an employee to accumulate vacation hours in excess of 280 if the employee's

vacation request has been denied due to departmental operating needs.

### Section 18.3 Pay upon Termination

Employees who terminate employment shall be paid in a lump sum for all unused vacation leave accrued in accordance with the provisions of this section prior to the date of termination.

### Section 18.4 Scheduling

The times during the calendar year at which an employee shall take vacation shall be determined by the department head with due regard for the wishes of the employees and particular regard for the needs of the service with seniority governing when conflicts arise.

## Section 19. Leaves of Absence

### Section 19.1 Sick Leave

(a) Purpose. Sick leave shall not be considered a privilege which an employee may use at the employee's discretion, but shall be allowed in case of necessity and actual sickness or disability, except as provided in paragraphs (4) and (5) of subsection (b).

(b) Rate and conditions of accrual and utilization of sick leave:

(1) For full-time employees, sick leave shall be accrued at the rate of eight hours for each calendar month of service, except as provided in paragraph (3).

(2) Unused sick leave shall be accumulated at the rate of ninety-six (96) hours a year. There is no maximum amount which an employee may accrue.

(3) Sick leave, vacation leave, and holiday leave shall not accrue when the employee is on leave without pay.

(4) Employees of this bargaining unit shall be eligible to utilize sick leave upon accrual.

(5) Sick leave may be used for any disability, whether temporary or permanent, by injury or illness arising out of and in the course of the duties of the employee after expiration of salary continuation as provided in Section 19.2.

(6) In the event sick leave is taken by an employee instead of a leave of absence for industrial disability granted by state law where there is a bona fide dispute as to whether the disability is industrial, and such dispute is resolved in favor of the employee, any sick leave which was erroneously deducted from the employee's accumulated sick leave shall be restored to the employee.

(7) Procedure. In order to receive compensation while absent on sick leave, the